

Message Text

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PAGE 01 STATE 092220
ORIGIN SS-05

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APPROVED BY: S/S-O: TGMARIN

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FM SECSTATE WASHDC

TO AMEMBASSY MADRID IMMEDIATE

UNCLAS E F T O STATE 092220

E.O. 11652 N/A

TAGS: N/A

SUBJ: SP F/V COSTA DE NOREUGA FCMA VIOLATIONS

FOLLOWING REPEAT USCGC VIGOROUS 101925Z APR 78 ACTION COMLANTAREA
COGARD NEW YORK NY INFO CCGDONE BOSTON MA CCGDTHREE NEW YORK NY
CCGDFIVE PORTSMOUTH VA COMDT COGARD WASHDC SECSTATE WASHDC
NMFS GLOUCESTER MA USCGC VIGILANT APR 10.

QUOTE: UNCLAS E F T O

SP F/V COSTA DE NOREUGA FCMA VIOLATIONS

SITREP TWO

1. SITUATION

A. WX: WIND 300/11, BARO 29.98, SEAS 280/2, TEMP 42D 40W 40S,
VIS 10 NM, CEILING UNLIMITED

B. IN CONTINUING INVESTIGATION PURSUANT TO RECOMMENDED SEIZURE,
THE FOLLOWING INFO BELIEVED PERTINENT.

1. UPON HUALBACK THIS DATE, CONFIRMED THAT TRUE DEMERSAL
TRAWL GEAR WAS IN USE. OVAL DOORS WITH SHINING EDGES, STEEL BALL
ROLLERS, 18" DIAMETER AND CABLES COVERED WITH HEAVY NEOPRENE COATING.

2. VIGOROUS BOARDING PARTY MEASURED THREE OF FOUR NETS

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PAGE 02 STATE 092220

ABOARD. THE ONE UNMEASURED NET WAS CLEARLY UNDERSIZED. MASTER ADMITS
USE IN CANARY ISLAND'S FISHERY. TWO OTHER NETS USED IN US FCZ
UNDERSIZED 56MM AND 59.5MM REPECTIVELY AND FOURTH NET IS BRAND NEW
AND UNUSED. WHEN MEASURED, IT BARELY MET REQUIREMENTS OF 60MM.
MEASUREMENTS TAKEN IAW FCMA REGS 611.50.C. (3)

3. PLOTTING NAV DATA TAKEN FROM COSTA DE NOREUGA'S LOG
FOR ACTIVITIES 090315R TO 090945R APR 78 ON VIGOROUS FIXED GEAR

CHART, PLACED SUBJ 1NM NORTH OF FIXED GEAR AREA E-17. OTHER NAV DATA TAKEN FROM VSLS LOG AND FROM NMFS OBSERVER MURPHY'S RECORD CORRELATES SUBJS ON AT LEAST ONE PREVIOUS OCCASION, 070900R APR 78, FISHED WITHIN 1NM OF E-17.

4. WHEN HAULBACK ON 6-8 APR INCLUDED FIXED GEAR, NMFS AGENT MURPHY, ONBOARD COSTA DE NOREUGA, REMINDED MASTER OF HIS RESPONSIBILITY TO REPORT TO COAST GUARD. IN ACTUAL FACT, OBSERVER MURPHY CALLED NMFS OBSERVER ARNOLD ABOARD SP F/V ALTAMAR REPORTING FIXED GEAR IN HAULBACKS ON 6-8 APR. CAA STAFF REPORTS NO NOTIFICATION MADE TO COAST GUARD OF FIXED GEAR INCIDENT DURING THIS PERIOD. OBSERVER MURPHY STATES HE REPEATEDLY WARNED MASTER TO STAY OUTSIDE TWO MILES OF REPORTED FIXED GEAR AREA.

5. WHILE ON SCENE, VIGOROUS RECEIVED RPT FM US LB/V DR. ROBERTS THAT HE HAS LOST 130 POTS WHICH WERE, HE STATES PROPERLY REPORTED. THE US LB/V IRON HORSE RPTS OTHER SP FV'S HAVE BEEN OPERATING WITHIN 2 NM OF FIXED GEAR AREAS.

2. ACTION TAKEN

A. INVESTIGATION CONTINUING

3. PLANS AND RECOMMENDATIONS

A. INTEND TO SEND BOARDING PARTY NUMBER TWO ABOARD SP F/V ALTAMAR TO DETERMINE WHETHER NOTIFICATION OF COSTA DE NOREUGA 6-8 APR FIXED GEAR INCIDENTS WAS MADE TO ANY COAST GUARD UNIT.

B. EVIDENCE CONTINUES TO SUBSTATIATE GROSS VIOLANTIONS OF FCMA REGS 611.50.C AND AS AMENDED AWAITING COMDT STATEMENT OF NO OBJECTIONM. UNQUOTE VANCE

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